

THE
TRYAL and CONDEMNATION
OF

Several Notorious Malefactors, at a Sessions of
O T E R and T E R M I N E R holden for
the City of LONDON, County of *Middlesex*, and
Goal Delivery of *Newgate* : Beginning July
6. 1681. Ending the 9 of the same Month.

A T T H E

Sessions House

I N T H E

OLD-BAYLY.

*Together with an Account of the proceedings against the Right Honorable the
Earl of Shaftsbury, and the Lord Howard Baron of Escreeck.*

*And also of a Bill of High-Treason, presented to the Grand Jury of London,
against Stephen Colledg, of St. Ann Black-fryers.*

O N E Samuel Rumny was Indicted for having two Wives,
both being alive at one and the same time, he Marrying
the first in *England*, and Lived with her for the space of
three or four years, went beyond Sea : where at *Boston* in
New-England, he personating a Knight of that Country,
and taking his Name upon him, Married another, to his Indictment,
he Pleaded Guilty, saying, *That his last Wife, who prosecuted, was the oc-
casion of his Committing that Felony, for she contrary to his Inclination, Tem-
pted him to Marry her, and that she had been a continual Torment to him ever
since.*

William Richardson, and two more, being brought to the Bar, and
their Indictments read (which were, that they stood Indicted for Rob-
ing on the High-way) to their Indictments, they all Pleaded Guilty.

William Buckley, a Youth, was Tryed for the Murd'ring of one *Wil-
liam Clenchard*, on the 22 of June last, near *St. James's Marker*, after
this manner, the party Killed being a Baliffs Follower, he and 3 more,
attending a Marshalls Court-Officer, to Arrest *Richard Boil Esq;* having
some notice, that he intended to go into the Country, they Watched

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for his coming out, a good part of the day, when at last he came in his Coach, drawn by 4 Horses, and the Prisoner riding upon a single Horse, with a Case of Pistols before him; some of the Baliffs planting themselves on each side the Coach, to make the Arrest, whilst the Deceased stop'd the Horses, which the now Prisoner observing (and that his Master was scuffling with the rest of them) let fly a Pistol which only Grazed upon the ground, but seeing his Master taken out of the Coach, he fired another, loaden with two Bullets, which enterd six Inches into the Belly of the Deceased, whereupon he fell, and after having Cryed out, *O I am Shot, I am Killed*, he dyed upon the place, notwithstanding the Baliffs carryed off their Prisoner, against whom they had two Writs, amounting to 112 *l.* the Youth alledged, what he did was in his own Defence, and that holding the Pistol up to save him from a Blow, it unhappily went off, but it being proved, that he fired before, and gave several Threatning Words (the Deceased being upon Executing the Kings Writ, &c.) the Prisoner was found Guilty of Murder, for which Cases the Law cannot allow it Man-slaughter.

Elisabeth Maidstone, alias *Moor*, was Tryed for stealing 2 Handkerchiefs, a pair of Sleeves, Ruffles, Coifs, and other Linnen, to the value of ten shillings, from *Elisabeth Manly* in *Corn-hill*, the things were proved to be taken upon her, and after a short denial, she Confessed the Robbery, and was brought in Guilty.

Thomas Gibson and *Robert Hawkson*, were Tryed for setting upon, and Robbing *Edward Beis*, Servant to *Richard Cradock Esq;* near *Newington*, taking from him, 2 Gowns, 2 peices of Silk, Money and other things to the value of 20 *l.* and after having beat and bound him, they made for *London*, where one of them being Apprehended, confestd the other, who upon his Tryal did acknowledge he was there, when the Robbery was done, but that he came Accidentally, and did not meddle in taking any thing from the Prosecutor, there being three Fellows upon him, who had him down, &c. of which the said *Hawkson* was one; but this Sham would not take, for upon the Evidences Swearing point blank, that he was one concern'd, they were both found Guilty.

Ann Smith, *Mary Roly*, and *Elisabeth Wolf*, three notorious Shop-lifts, were Tryed for stealing a piece of Flowered-silk, to the worth of five pounds, out of the Shop of *Mr. Tryerwood*, in *Corn-hill*, after this manner, two of them coming in, to cheapen Silk, whilst the other stood without, but instead of buying, whilst the Servants were busy, they conveyed away the aforesaid piece, which they had Cheapned and delivered it to their Confederate, but being observed by an Opposite Neighbour, notice was given, they persued, and Apprehended all three, she in whose Custody it was taken, Pleaded they gave it her to carry for them, and that she never saw them before, but that was Contradicted by some, who saw them Discoursing together, before the Felony was Committed, the Jury believing them to be all of a Gang, brought them in Guilty.

The Petitions of the Right Honorable the Earl of *Shaftsbury*; *William Lord Howard*; Baron of *Essex*; *Stephen Colledge*; *John Rouse*; Prisoners in the Tower of London, and *William Hetherington*, Prisoner in the County Goal of *Newgate*, presented their Petitions to the Right Honorable *Sir Patience Ward*, Lord Mayor, and the Judges, and Justices of the Peace, sitting on Commission of Oyer and Terminer for London and Middlesex; In which were contained their several Prayers, That seeing they had been Committed for High-Treason, and other Crimes, but no prosecution being made against them, they requested they might be either speedily proceeded against, or Bailed, according to the Act made in the thirteenth year of his now Majesty, for the securing the Liberty of the Subject, which Petitions were read by the Clerk of the Crown, and upon Motion of Council; Ordered to be taken into Consideration.

Mr. Attorney General objected against the Petty Jury for London, alledging, They were not Church-men, or persons fitly qualified to serve their King and Country.

To which Mr. Sheriffs Answered, That they had returned them according to Law, and they knew nothing to the contrary, but they were men of candid Reputations, but in fine, they were dismissed for that time, and ordered to attend the Court on Friday morning next, till which time the Sessions was Adjourned.

The Grand Jury according to Order, attending the Court, Mr. Attorney General made his Exceptions against two or three of them, as not being observers of the Kings Laws, and that the Jury were returned at the Nomination of others, which by the Statute of *Tertio Henry 8.* ought not to be, but after some debate, a Bill of High-Treason was delivered to them, against *Stephen Colledge* of *St. Ann Black-fryers*. Wherein was specified, That he had Traiterously Conspired against the Life of his Majesty, he intending to depose and Murther him, in Order to which, He had provided Armour, and other Habillaments of War, to seize upon his Majesty at *Oxford, &c.*

After the Reading the Indictment, Mr. Attorney desired the Witnesses might be sworn to it, in Court, which was granted; whereupon Mr. *Smith*, Mr. *Dugdale*, Mr. *Haynes*. the Two *Macnamarra's* and Sir *W. Jennings* alleaged several desperate Treasons against him: as, that he told them, He was one that was to seize the King at *Oxford*: and, that unless he would comply with his Parliament, there would be ready thousands to secure him: And, that he was prepared with Armor for that purpose, which he shew'd them, &c. The Evidence was long, and full of weight: So that the Jury received the Bill; after Dinner return'd it *Ignoramus*. And at the same time presented a Petition, subscribed, to the Court, That whereas they were informed, That several Priests and Jesuites that lay under Sentence of condemnation, did daily Plot and contrive by sundry Means to work out their Deliverance, and that by Commission from *Rome*, they fate and consulted the Destruction of the Protestants, by forging divers
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and sundry devices against them, wherefore they prayed, That they might either be removed far from this City, or other means taken to secure them from such like attempts for the future, which Petition the Court received, and order'd to be Read, My Lord Chief Justice promising to acquaint his Majesty with their Prayers.

John Plat took his Tryal, for breaking open the House of *James Holms*, in the Parish of *Hornsey*, in the Company of several others (some of which have been already Executed) and taking thence Plate; wearing Apparel, coined Silver, and broad peices of Gold, to the value of 60 pounds, and Barbarously using the people of the House, by Wounding, Beating of them; he pleaded he was not there, but a great many Miles distant, at the time of the Robbery, but not being able to produce Testimony thereof, and on the other side the Prosecutor Swearing positive, he was found Guilty of the Fellony and Burglary.

Th. Cook was tryed for breaking open the shop of one *Will. Smith*, a Barber in *Broad street*, during his being above stairs and feloniously taking away a Silver Tankard, 2 Coats, 1 Cloak 3 Perriwigs and 13*l*. in money: one of the Perriwigs being taken upon his head, when apprehended, he offering Composition; but he once found mercy, was brought in guilty.

John Compton was tryed for coming into a Shop in *St Clement Danes*, and in the Absence of the People open'd the Till of a Counter, and took thence 6*l*. and being ask'd, a hour after, about it, in Court denyed it, saying he had Money enough, and an Estate, but there were shrewd Circumstances, he was brought in guilty of the Felony only.

Motion being made by *Mr. Williams*, late Speaker of the House of Commons, That the Right Honorable the Earl of *Shaftsbury* might be bailed by reason there was no Prosecution entred against him: there being several worthy Peers offered to engage for him. My Lord Chief Justice told him, That nor only himself, but 9 more of the Judges, foreseeing they would make a Motion, had consulted the Matter and were all of Opinion, It was not in their Power to deliver his Lordship: The Tower not being within the Limits of that Commission they sat by: but if it had been Term-time, he might have been removed to the Kings bench-Bar and there relieved. *Mr. Wallop* likewise moved for the Lord *Howard* but was answered as the former.

Mr. Francis Smith and *Mr. Sam. Harris* having no Prosecutions entred against them, were discharged by Proclamation: And *Mr. Herthington* stiled the Manager of the Irish Evidence, upon Bail was ordered to be set at large this Sessions.

There were 9 condemn'd, viz. *Th. Gibson*, *Ro. Hawkson*, *W. Buckly*, *W. Richardson*, *I. Plat*, *Ann Smith*, *Mary Roly*, *Eliz. Wolf*.
4 burnt in the hand, 3 for Transportation, and 4 to be whipt.